

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

MICHAEL P. and SHELLIE GILMOR,)
et al.,)
)
Plaintiffs,)
)
vs.) Case No. 10-0189-CV-W-ODS
)
PREFERRED CREDIT CORP., et al.,)
)
Defendants.)

ORDER PROVIDING NOTICE TO PARTIES

A relative of the undersigned's is a law student at the University of Missouri - Kansas City, and has accepted a summer internship with the law firm of Shook, Hardy & Bacon. The relative is working in the pro bono department, and (to the undersigned's knowledge) has no interaction with the attorneys involved in this case.

Recusal is not required because the relative is not acting as a lawyer in this proceeding and does not have an interest in this proceeding that could be substantially affected by the outcome. 28 U.S.C. § 455(b)(5); see also Jenkins v. Arkansas Power & Light Co., 140 F.3d 1161, 1164-65 (8th Cir. 1998). The Court also does not believe the circumstances constitute an appearance of impropriety. See 28 U.S.C. § 455(a). However, any party believing the undersigned should recuse because an appearance of impropriety exists is permitted to file a motion requesting recusal. None of the other parties shall respond to any such motion, and the Court will promptly consider the merits of any requests that are made.

A party must request recusal within two weeks of the filing of this Order or the party's entry of appearance, whichever is later. Failure to do so will constitute a waiver of any objections to the undersigned's continued involvement in this case. Id. § 455(e).
IT IS SO ORDERED.

/s/ Ortrie D. Smith
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT

DATE: April 7, 2011